
UNIFIED SUBDIVISION ORDINANCE AMENDMENT 9
Allowing Parcelizations in A, AW & AA Zones

STAFF REPORT
April 10, 2014

USO Amendment 9 Allowing Parcelizations in A, AW & AA Zones

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HISTORY:

From 1979 to 2002 the parcelizing of land was allowed in 12 different zoning districts. (See below.)

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AA, AW, R1	4	2 acres
R3, HB, NB, GB, I1, I2, I3, OR	2	2 acres (sewered); 5 ac. (unsewered)

In 2002, in order to close the loophole commonly known as “sliders” staff tightened up several definitions; added the rural estate section to the ordinance as a substitute type of development to sliders; and limited parcelizations based on an agreement with the County Commissioners. Since 2002, parcelizations have only been permitted in one zone: AA, Select Agricultural. (See current USO below.)

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
AA	2	2 acres

One of the big differences between minor subdivisions and parcelizations is the fact that minor subdivisions have to have frontage on an existing public road; parcelizations do not have to have frontage. (Parcels can either have road frontage or provide an access easement to an existing public road.) Minor subdivisions, because they are often a developer’s tool, require public hearings and higher filing fees. Generally, parcelizations are used by farming families to split off two acres to sell, or gift to a family member. It does not require public hearings and takes less time to review, so its filing fees are substantially less.

Staff agrees that parcelizations should not be allowed back in residential, commercial or industrial zones; to divide land in these development zones, major and minor subdivision remains the correct process. The changes staff made to the definition section in 2002 have put a stop to “sliders” so that is no longer a concern. Allowing parcelizations once again in the A and AW zones, would allow farm families in those zones the same rights that currently are enjoyed by farmers in the AA zone. Therefore, staff is proposing amending the USO as follows:

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AA, AW	2	2 acres

RECOMMENDATION:

Approval

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER _____ OF ORDINANCE NO. _____ BEING THE UNIFIED SUBDIVISION ORDINANCE OF TIPPECANOE COUNTY.

Be it ordained by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No. _____, being the Unified Subdivision Ordinance of Tippecanoe County is hereby amended as follows:

Section 1: Change **USO Section 3.5(3)(a) Parcelizations** by adding the A and AW zones to the following table:

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AW, AA	2	2 acres

*Unless Tippecanoe County Ordinance 99-30CM or its successors requires more.

This ordinance shall be in full force and effect from and after its passage.